

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Neal Sales,

Plaintiff,

vs.

Susan Baros,

Defendant.

3:17-cv-00186-RCJ-WGC

ORDER

A few months ago, the Plaintiff filed three objections to the magistrate judge's orders. The Plaintiff directed two of these objections at an order enlarging the time for discovery. According to the Plaintiff's allegations, the case is urgent necessitating a swift resolution. However, the Plaintiff filed his objections more than forty days later and Federal Rule of Civil Procedure 72(a) only allows for fourteen days to object. Notwithstanding the Plaintiff's timeliness issue, the time enlargement was less than two months, and in the meantime, the discovery phase has passed before the Court could consider the objections. Thus, they are moot.

Next, the Plaintiff objects to a minute order scheduling a hearing. According to the Plaintiff, this is not an "official court order." But it is. A magistrate judge has the authority to schedule and hold hearings. *See* LR IB 1-7(a). The Plaintiff also asserts that requiring the Defendant to provide the courtroom administrator with a number to reach the Plaintiff violates the rule prohibiting ex parte communication. Assuming this constitutes ex parte communication, "an ex parte communication is permissible for administrative purposes that do not concern substantive matters." *Eleanora J. Dietlein Tr. v. Am. Home Mortg. Inv. Corp.*, No. 3:11-cv-0719-LRH-VPC, 2014 WL 911121, at *2 (D. Nev. Mar. 7, 2014) (citing Canon 3A(4)(b) of the Code of Conduct for United States Judges). Therefore, the Court denies this objection.

1 **Conclusion**


2 IT IS HEREBY ORDERED that the Plaintiff's Objection to Magistrate Order (ECF No.
3 55) is DENIED AS MOOT.

4 IT IS FURTHER ORDERED that the Plaintiff's Objection to Magistrate Order (ECF No.
5 59) is DENIED AS MOOT.

6 IT IS FURTHER ORDERED that the Plaintiff's Objection to Magistrate Order (ECF No.
7 75) is DENIED.

8 IT IS SO ORDERED.

9 DATED: This 7th day of October, 2019.

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12 ROBERT C. JONES
13 United States District Judge
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